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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,043	08/28/2001	Gordon Taylor Davis	RAL920010013US1	5730
47052	7590	07/03/2006	EXAMINER	
SAWYER LAW GROUP LLP PO BOX 51418 PALO ALTO, CA 94303			TRAN, NGHI V	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/941,043

Applicant(s)

DAVIS ET AL.

Examiner

Nghi V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-14 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8, 17, and 20 is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-13, 18, 19, 21 and 22 is/are rejected.
- 7) ☒ Claim(s) 5 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 9-13, 18-19, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petersen et al., U.S. Patent No. 5,822,321 (hereinafter Petersen) in view of Franaszek, U.S. Patent No. 5,870,036 (hereinafter Franaszek).

3. With respect to claims 1, 9-11, 18-19, and 21-22, Petersen teaches a method for transmission using asynchronous transfer mode (ATM), the data including a plurality of segments [i.e. first, middle, and/or last segment, fig.5], each of the plurality of segments including a first end [i.e. first segment, fig.5] and a second end [i.e. middle segment and/or last segment, fig.5], the method comprising the steps of:

- representing the first end of a segment [i.e. first segment, **505**] of the plurality of segments with a partition compression code word [i.e. minicell header coded], the segment being at least one of an ATM cell, an ATM PDU and an IP packet, the first end being a boundary of the

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ATM cell, the ATM PDU, or the IP packet [fig.5 and col.3, ln.33 – col.4, ln.41].

However, Petersen does not explicitly show a method for compressing data, the method comprising the step of: compressing a remaining portion of the segment.

In a related art, Franaszek suggests or teaches a method for compressing data, the method comprising the step of: compressing a remaining portion of the segment [fig.4B].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Petersen in view of Franaszek by compressing a remaining portion of the segment because this feature achieves compression by encoding symbols into bit strings that use fewer bits than the original symbols [Franaszek, col.1, lns.37-39]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to compress data without incidences of error or loss of data [Franaszek, col.1, lns.22-23].

4. With respect to claim 2, Petersen does not explicitly show repeating the representing and compressing steps for each of a remaining portion of the plurality of segments.

In a related art, Franaszek suggests or teaches repeating the representing and compressing steps for each of a remaining portion of the plurality of segments [fig.4B].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Petersen in view of Franaszek by compressing a remaining portion of the segment because this feature achieves compression by encoding symbols into bit strings that use fewer bits than the original symbols [Franaszek, col.1, Ins.37-39]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to compress data without incidences of error or loss of data [Franaszek, col.1, Ins.22-23].

5. With respect to claims 3 and 12, Peterson further discloses the first end is a start of the segment [fig.5 i.e. first segment].

6. With respect to claims 4 and 13, Petersen does not explicitly show the partition compression code word represents a partition command sequence.

In a related art, Franaszek suggests or teaches the partition compression code word represents a partition command sequence [For example, Franaszek teaches data compressor using compression method table such as LZ. Further, LZ compression method has achieved great popularity for improvement for short sequences, col.2, Ins.20-59].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Petersen in view of Franaszek by represents a partition command sequence in the partition compression code word because this feature achieves compression by encoding symbols into bit

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strings that use fewer bits than the original symbols [Frasaszek, col.1, Ins.37-39].

It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated in order to compress data without incidences of error or loss of data [Frasaszek, col.1, Ins.22-23].

Response to Arguments

7. Applicant's arguments, see Appeal Brief, pages 9-13, filed March 30, 2006, with respect to claims 1-5, 8-14, and 17-22 have been fully considered and are persuasive. The previous Final Rejection has been withdrawn.

8. Applicant's arguments with respect to claims 1-5, 8-14, and 17-22 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

9. Claims 8, 17, and 20 are allowed.

10. Claims 5 and 14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Patent Examiner
Art Unit 2151

NT


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER